



The Mystery of Closed Sessions

Posted by **Pierluigi Oliverio** on Monday, February 25, 2008

City Hall Diary

Many people ask what my biggest surprise has been since becoming a council member. I have shared that my biggest surprise has been closed session meetings. "Closed session" meetings are private meetings which include the mayor, city attorney and city council. The city manager and two other attorneys who record the minutes are also present. Sometimes, depending on the subject material, specific city staff will also join the meeting, but the public is not allowed to be present.

Closed session meetings occur every Tuesday morning and are held in the "green room" which is located behind the council dais. The green room is large with a TV monitor on the wall and a very large table and chairs in the center. Mayor Reed sits at one end of the table and Rick Doyle, the city attorney, on the other.

The mayor leads the meeting agenda and will recognize council members to speak. Usually the city attorney starts the meeting with information on pending and ongoing litigation and threat of litigation. I have found people love to sue the city. It could be anything. Many times the council settles out of court. Settling a case out of court could be less than the cost of going to trial and possibly losing and having to pay out more. \$3.5 million of the city budget is allocated each year to legal settlements and that amount is really a best guess since lawsuits do not follow statistical trends.

In order to prepare for closed sessions, each councilmember receives advance information in sealed envelopes with the word "confidential" on the front.

The city attorney will talk about a case and then the appropriate city staff will add more detail or explain technical issues. After that particular case is done then the next group of city staff will join us to start on another issue.

Some of the confidential matters are personnel related. The one that attracted the most attention lately was the issue of our former city auditor. We received reams of paper that we needed to read through, and as with all closed session material, it cannot be shared with staff. It adds another level of stress knowing that you are reading information that impacts a person's career.

Labor negotiations are also covered in closed sessions. It is similar to talking about litigation; however, instead of talking about winning or losing, it is more of a discussion about balancing resources and priorities.

All comments that are made in closed session are to be confidential and not to be revealed to anyone, including staff and family. We are allowed to talk about closed session items in generalities, but not specific cases or quotes from other council members or staff.

Closed session meetings are serious business.

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